

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA

§

VS.

§

ACTION NO. 4:14-CR-151-Y

JOSE LUIS CEPEDA-CORTES (3)

§

ORDER DENYING MOTION TO SEAL AND GRANTING MOTION FOR LEAVE

Pending before the Court is Defendant's Motion to Seal (doc. 219). In the motion, Defendant requests that his motion for leave to file his first amended motion for severance be sealed based on the Court's prior protective order regarding discovery material (doc. 62). After review of the motion to seal, however, the Court concludes that it should be and hereby is DENIED. There are no references to sealed discovery in the motion for leave; furthermore, the only possible reference to sealed discovery in the amended motion for severance concerns the alleged nine murders as to which the government has given notice, in an **unsealed** filing (doc. 181), of its intent to use as possible Rule 404(b) evidence. Inasmuch as the government did not file its notice under seal, the Court discerns no reason why Defendant's amended motion for severance should be sealed.

As a result, the clerk of the Court is DIRECTED to file Defendant's Motion for Leave to File his First Amended Motion for Severance, which was appended to the Motion to Seal, this same day. Cf. Local Criminal Rule 55.3(b)(2). After review of the Motion for Leave, the Court concludes that it should be and hereby is GRANTED. As a result, the Clerk of the Court is further DIRECTED to file

Defendant's First Amended Motion for Severance, which was also appended to the Motion to Seal, this same day. The government shall have until **April 11, 2016**, to file a response to the First Amended Motion for Severance.

SIGNED April 1, 2016.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE